

City Clerk File No. Ord. 10-130

Agenda No. 3.C 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-130

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN CLARIFYING
ELEVATOR REQUIREMENTS

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Martin Luther King Drive Redevelopment Plan (hereinafter "the MLK Plan") at its meeting of December 8, 1993; and

WHEREAS, the MLK Plan has been amended several times since its original adoption; and

WHEREAS, the Municipal Council seeks to advance and promote high quality new construction on vacant corner lots with in the MLK Neighborhood Shopping District; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

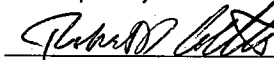
WHEREAS, the following amendments to the Martin Luther King Drive Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of October 26, 2010; and

WHEREAS, the Planning Board voted unanimously to recommend adoption of these amendments by the Municipal Council;

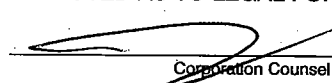
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Martin Luther King Drive Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

 Robert D. Cotter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A. _____

ORDINANCE FACT SHEET

1. Full Title of Ordinance/Resolution/Cooperation Agreement:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN CLARIFYING
ELEVATOR REQUIREMENTS**

2. Name and Title of Person Initiating the Ordinance, Resolution, etc.:

Carl S. Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:

The amendment will clarify the language in the redevelopment plan, requiring an elevator for new construction at 4 or 5 stories in height on corner lots.

4. Reasons (Need) for the Proposed Program, Project, etc.:

The existing language in the redevelopment plan requires clarification.

5. Anticipated Benefits to the Community:

The existing language in the redevelopment plan requires clarification.

6. Cost of Proposed Program, Project, etc.:

No expense to the city. All work done by in house staff.

7. Date Proposed Program or Project will commence:

Upon approval of the redevelopment plan amendment.

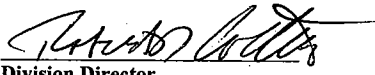
8. Anticipated Completion Date: N/A

9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050
Jeff Wenger, City Planning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

10/19/10
Date


Department Director Signature

10/19/10
Date

SUMMARY STATEMENT

The amendment will clarify the language in the redevelopment plan, requiring an elevator for new construction at 4 or 5 stories in height on corner lots.

**PROPOSED AMENDMENTS TO THE MARTIN LUTHER KING DRIVE
REDEVELOPMENT PLAN**

PRESENTED TO THE JERSEY CITY PLANNING BOARD ON OCTOBER 26, 2010

Text that is unchanged is in plain face type like this.

Text that is deleted is in strike-threw ~~like this~~.

Text that is added is in bold **like this**.

Page 68:

C. NEIGHBORHOOD SHOPPING DISTRICT (NS)

Page 72:

- e. Residential Development on vacant (as of the date of this amendment) corner lots 2,500 square feet or less.

New development on corner lots shall comply with all the standards and regulations of the Neighborhood Shopping District, Sections 1-6, except that the following area, yard, bulk, and parking requirements shall supersede:

- i. Maximum Building Coverage: 90%
- ii. Minimum Rear Yard Setback: 10 feet
- iii. Maximum Building Height: 5 stories and 60 feet, **provided that any number of stories above three (3) shall provide an elevator at least 5' by 7' in dimension, serving all units. No deviations shall be granted from this requirement.**
- iv. Maximum Density: 120 units per acre, provided that any number of units above three (3), within this district shall provide an elevator at least 5' by 7' in dimension, serving all units. **No deviations shall be granted from this requirement. Density is not restricted except by minimum building code room size and unit size requirements.**
- v. Parking is optional, except that no curb cut or driveway access shall be located along Martin Luther King Drive.

Page 73:

7. Sub District E

Development within Sub District E shall comply with all the standards and regulations of the Neighborhood Shopping District, Sections 1-6, except that the following area, yard, bulk and parking requirements shall supersede:

- i. Maximum Building Coverage: 90%
- ii. Minimum Rear Yard Setback: 10ft
- iii. ~~Maximum Number of Seven (7) Dwelling Units~~ **Maximum Building Height: 5 stories and 60 feet**, provided that any number of ~~units~~ **stories** above three (3), within this district shall provide an elevator – at least 5 ft. x 7 ft. in dimension, serving all units. No deviations shall be granted from this requirement
- iv. Parking – optional, except that, no curb cut or driveway access shall be located along Martin Luther King Drive.
- v. **Maximum Density: Density is not restricted except by minimum building code room size and unit size requirements.**

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-130TITLE: 3.C. OCT 27 2010 4.B. NOV 10 2010

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Martin Luther King Drive Redevelopment Plan clarifying elevator requirements.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 27 2010 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING NOV 10 2010 8-0											
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>VELAZQUEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	<u>ABSENT</u>			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote R.L.WILLIAMS N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE NOV 10 2010 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	<u>ABSENT</u>			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 27 2010Adopted on second and final reading after hearing on NOV 10 2010This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on NOV 10 2010

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Peter M. Brennan
Peter M. Brennan, Council President

Date: NOV 10 2010

APPROVED:

Jerramiah T. Healy
Jerramiah T. Healy, Mayor

Date: NOV 15 2010Date to Mayor NOV 15 2010